

Notice of Allowability**Application No.**

10/578,648

Applicant(s)

SCHOLL ET AL.

Examiner

QUYNH H. NGUYEN

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE and amendment filed 3/5/09.
2. ☒ The allowed claim(s) is/are 1,3-6, and 8-13 renumbered as claims 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Quynh H Nguyen/
Primary Examiner, Art Unit 2614

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Kevin C. Ecker on 5/5/09.

3. Claims 1, 8, and 13 have been amended as follows:
 1. (Currently Amended) System for program recommendation, comprising:
a tangible computer storage encoded with computer executable instructions
when executed comprise:
 - accessing means for accessing program information, where said program information comprises for a plurality of broadcast channels where content pieces are broadcast, a broadcast time of said content pieces and a content description of said content pieces; and
 - selection means for selecting pieces of content within a time interval, said selection means being configured to calculate for a plurality of content pieces a piece score by matching the content description with a profile, determine a plurality of sequences of content pieces, where said content pieces in said sequence are broadcast

consecutively at said channels, where said selection means are configured to calculate said sequence score according to one or more rules, where according to each rule a correlation value representative of a correlation of the content description of at least two of the pieces contained in said sequence is calculated, calculating for said sequences a sequence score, based at least on said piece scores of the pieces contained in said sequence and on said correlation values of the content descriptions of at least two of the pieces contained in said sequence and selecting at least one of said sequences according to said sequence score, where said selection means are configured to select said sequences such that each switchover time from a first content piece of said sequence to a second content piece following said first content piece within said sequence corresponds to the end time of the first content piece and/or to the start time of the second content piece.

8. (Currently Amended) System for program recommendation, comprising:

a tangible computer storage encoded with computer executable instructions when executed comprise:

accessing means for accessing program information, where said program information comprises for a plurality of broadcast channels where content pieces are broadcast, a broadcast time of said content pieces and a content description of said content pieces; and

selection means for selecting pieces of content within a time interval, said selection means being configured to calculate for a plurality of content pieces a piece score by matching the content description with a profile, determine a plurality of sequences of content pieces, where said content pieces in said sequence are broadcast consecutively at said channels, calculating for said sequences a sequence score, based at least on said piece scores of the pieces contained in said sequence and on a correlation of the content descriptions of at least two of the pieces contained in said sequence and selecting at least one of said sequences according to said sequence score, where a number of sequences is shown to the user in a lattice representation,

where content pieces are represented as edges running between start time and an end time on a time axis.

13. (Currently Amended) A Method for program recommendation, said method executed by one or more computers and including the steps of:

- (a) accessing program information, where said program information comprises for a plurality of broadcast channels, a broadcast time of content pieces broadcast at said channels and a content description of said content pieces;
- (b) calculating for a plurality of content pieces a piece score, said piece score indicating a match of said content description with a profile;
- (c) determining a plurality of sequences of content pieces, where said content pieces contained in said sequences are broadcast consecutively at said channels;
- (d) calculating for said sequences a sequence score according to one or more rules, where according to each rule a correlation value representative of a correlation of the content description of at least two of the pieces contained in said sequence is calculated, based at least on said pieces scores of pieces contained in said sequence and on said correlation value of the content descriptions of at least two of the pieces contained in said sequence;
- (e) and selecting at least one of said sequences according to said sequence score and in a manner such that each switchover time from a first content piece of said sequence to a second content piece following said first content piece within said sequence corresponds to the end time of the first content piece and/or to the start time of the second content piece.

4. Canceled claim 7.

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